

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Clarence J. Harvey,

Plaintiff,

v.

Willie Eagleton, *et al*,

Defendants.

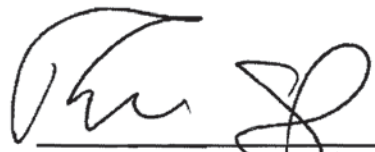
Civil Action No.: 2:10-3274-RMG

ORDER

Plaintiff brings this *pro se* action seeking relief pursuant to 42 U.S.C. § 1983. This case was automatically referred to the United States Magistrate Judge for all pretrial proceedings pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(d), D.S.C. Plaintiff has moved for a permanent restraining order from Evans Correctional Institution on various grounds. (Dkt. No. 49). Plaintiff's underlying claims allege that he was "intentionally placed in another inmate cell to be physically assaulted." (Dkt. No. 1). Defendants have filed a response in opposition. (Dkt. No. 53). The Magistrate Judge issued a Report and Recommendation recommending that the Court deny Plaintiff's motion for preliminary injunction. (Dkt. No. 74). The parties were advised that any objections to the Report and Recommendation must be filed in writing within 14 days of service of the Report and Recommendation or face limited review by the District Court and waiver of the right of appeal. See Dkt. No. 74 at 6; *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984). Notwithstanding these instructions, Plaintiff failed to file any written objections to the Magistrate Judge's Report and Recommendation.

The Court has reviewed the record in this matter, the Report and Recommendation and the applicable law and hereby finds that the Report and Recommendation accurately summarizes the applicable factual and legal issues in this motion. Therefore, the Court hereby adopts the Report and Recommendation as the order of this Court. (Dkt. No. 74). For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that Plaintiff's motion for preliminary injunction be **DENIED**.

AND IT IS SO ORDERED.



The Honorable Richard Mark Gergel
United State District Court Judge

Charleston, South Carolina
July 13, 2012